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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,732	01/11/2001	Gerald F. McBrearty	AUS9-2000-0598-US1	8453

7590 09/23/2003

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EXAMINER
NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
2674	7

DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/758,732	MCBREARTY ET AL.	
	Examiner	Art Unit	
	Jennifer T Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 July 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This office action is responsive to amendment filed on 07/09/2003.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels (U.S. Patent No. 6,373,500) in view of Jakobs et al. (U.S. Patent No. 5,892,509).

Regarding claims 1, 10 and 18, referring to Fig. 6, Daniels teaches a method operating plural computers displayed on a display device (30) having a first window (36) that displays information from a main computer (10) and a second window (37) that displays information from a remote computer (20), comprising: controlling data from the main computer (10) and the remote computer (20) with an input device (50) associated with one of the computers (col. 1, lines 8-35, from col. 4, line 49 to col. 5, line 31, and col. 6, lines 58-67).

Daniels differs from claims 1, 10 and 18 in that he does not specifically teach a common memory buffer. However, referring to Fig. 5, Jakobs discloses manipulating and sharing data between the main computer (52A) and the remote computer (52B) through a common memory buffer (64A, 64B) (col. 13, line 45 to col. 14, line 24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the manipulating and sharing data between the main computer and the remote computer through a common memory buffer as taught by Jakobs in the system of Daniels in orders to simplify the circuits,

avoid user to manually move between the input devices of separate computers and improve the system with multiple window displays that maximizes the ability of the user easily to capture, create, manipulate, reproduce, file, transmit, and otherwise communicate electronic images.

Regarding claim 2, Daniels further teaches the input device controls a cursor on the display device to control and manipulate displayed information (col. 5, lines 44-49).

Regarding claim 3, Daniels further teaches the main computer (10) and the remote computer (20) are connected by a network (300) (i.e., switch box).

Regarding claim 4, Daniels further teaches the display device (30) is a picture within a picture display device and the first window (36) is a main window and the second window (37) is a picture within a picture window (Figs. 1 and 6, col. 4, lines 49-50).

Regarding claim 5, Daniels further teaches the cursor is located in the second window (37) and a movement signal from the input device (50) is sent from the remote computer (20) to the second window (37) (col. 5, lines 8-15 and lines 33-49).

Regarding claim 6, Daniels further teaches sending the movement signal further comprises transmitting the movement signal over a network (300) connecting the main computer (10) and the remote computer (20) (col. 5, lines 8-28).

Regarding claim 7, Daniels further teaches a user can use the input device (50) to move the cursor between the first window (36) and the second window (37) (Fig. 7a, from col. 4, line 49 to col. 5, line 31).

Regarding claims 8, 9 and 17, the combination of Daniels and Jacobs teaches a common memory buffer within the picture within a picture control module wherein information displayed

on the display device may be cut and pasted (i.e., edited as a group activity) between the first window and the second window (from col. 13, line 45 to col. 14, line 24).

Regarding claim 11, Daniels further teaches determining in which window the cursor is located (from col. 4, line 49 to col. 5, line 31).

Regarding claim 12, Daniels further teaches sending a movement signal from the input device to the window where the cursor is located (from col. 4, line 49 to col. 5, line 31).

Regarding claim 13, referring to Figs. 6 and 7a, Daniels teaches a picture within a picture control system for controlling data across and between two computers that are displayed on a picture within a picture display device, comprising: a first computer (10) having an input device (50) and connected to the picture within a picture display device (30); a second computer (20) and connected to the picture within a picture display device (30); a first window (36) on the picture within a picture display device (30) for displaying data from the first computer (10); a second window (37) on the picture within a picture display device (30) for displaying data from the second computer (37); and a picture within a picture control module (310) residing on the first (10) and the second computer (20) that allows the input device (50) to move the cursor within the first window (36) and the second window (37) (col. 1, lines 8-35, from col. 4, line 49 to col. 5, line 31, and col. 6, lines 58-67).

Daniels differs from claim 13 in that he does not specifically teach manipulating and sharing data between the main computer and the remote computer through a common memory buffer. However, referring to Fig. 5, Jakobs discloses manipulating and sharing data between the main computer (52A) and the remote computer (52B) through a common memory buffer (64A, 64B) (col. 13, line 45 to col. 14, line 24). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate the manipulating and sharing data between the main computer and the remote computer through a common memory buffer as taught by Jakobs in the system of Daniels in order to simplify the circuits, avoid user to manually move between the input devices of separate computers.

Regarding claims 14 and 15, Daniels further teaches the picture within a picture control module (310) on the first computer (10) sends a movement signal from the input device (50) to the first window (36) when the cursor is located in the first window (36) and sends a movement signal from the input device (50) to the second window (37) when the cursor is located in the second window (37) (Figs. 6 and 7a, b, from col. 4, line 49 to col. 5, line 31).

Regarding claim 16, Daniels further teaches comprising a network (300) allowing communication between the first computer (10) and the second computer (20) and wherein the movement signal is sent over the network (300) (Fig. 6).

Response to Arguments

4. Applicant's arguments filed 07/09/2003 have been fully considered but they are not persuasive.

In response to Applicant's argument that "the input device in Daniels is using the cursor in this instance to simply reverse the main display area and not to share and manipulate data between windows". However, this is only one embodiment of his invention. Daniels teaches share and manipulate data between windows in that the information displayed can be toggled back and forth between computer 10 and computer 20, the main display area 36 can display the output of computer 10 and the PIP window 37 can display the output of computer 20, or the main display area displays the output of computer 20 and PIP window displays the output from

computer 10 (from col. 4, line 49 to col. 5, line 31). Daniels differs from claimed invention in that he does not specifically teach how to share data between windows. However, it is well known in the art to obtain a common memory buffer between to computers through network to exchange or share information and Jakobs also teaches two image processing systems connected to a network. The control unit includes a common memory. Under control of CPUs in the respective systems, a common image is coupled to each system over the network and commonly displayed on each system and the common image is edited by the first image processing system (see abstract of Jakobs). The combination of Daniels and Jakobs is proper because both references teach two computers display information on the display image or windows and the information can be shared between two windows.

Therefore, it is believed that the limitations of claims 1-16 and 18 are still met by Daniels and Jakobs and the rejection is still maintained.

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225.** The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

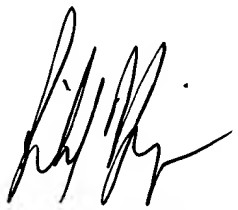
Washington, DC. 20231

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen
09/15/2003
Art Unit 2674



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600